

Christopher Lauzau, Elliot Beaver, Dr. E. Deborah Jay, Gary Plutchok, John O'Donnell, Mark Finocchio, and Salvatore D'Agostino.

WHEREFORE, Plaintiffs Snyder's-Lance, Inc. and Princeton Vanguard, LLC respectfully requests that the Court enter summary judgment in their favor on all claims and issue an order:

- A. Reversing the September 6, 2017 decision of the Trademark Trial and Appeal Board in the matter of *Frito-Lay North America, Inc. v. Princeton Vanguard, LLC*, Opposition No. 91195552 and Cancellation No. 92053001 pursuant to 15 U.S.C. § 1071(b);
- B. Ordering that the mark PRETZEL CRISPS, as used in connection with pretzel crackers, is not generic, has acquired secondary meaning, and is registerable as a trademark with the United States Patent and Trademark Office;
- C. Ordering the United States Patent and Trademark Office to register Serial No. 76/700,802 on the Principal Register;
- D. Ordering the United States Patent and Trademark Office not to cancel Registration No. 2,980,303; and
- E. Awarding Plaintiffs such other relief as this Court deems just and proper.

This 29th day of October, 2018.

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CERTIFICATE OF SERVICE

I do certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record or interested parties via the CM/ECF system.

This 29th day of October, 2018.

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